

FILED

JAN 24 2022

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MERCED DOMINGUEZ, LUCIEN
JEFFORDS, DEBORAH MAXILOVE,
RICHARD DORAN, RONALD BANYASH,
PAMALA BENFANTE, MELISSA ZAJAC,
REBECCA FISHER, MELISSA
CHEATWOOD, CLARENCE GALTNEY,

Plaintiffs,

v.

CITY OF BERKELEY, et al.
Defendants.

Defendants.

Case No. 3:21-cv-08599-SI

STIPULATION TO EXTEND TIME
FOR PLAINTIFFS TO FILE REPLY
IN SSUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION

Action Filed: November 4, 2021

Pursuant to Civil L.R. 6-2, Plaintiffs Merced Dominguez, Lucien Jeffords, Deborah Maxilove, Richard Doran, Ronald Banyash, Pamala Benfante, Melissa Zajac, Rebecca Fisher, Melissa Cheatwood, and Clarence Galtney ("Plaintiffs") and Defendant the City of Berkeley, City of Berkeley Manager's Office, City of Berkeley Homeless Response Team, City of Berkeley Parking, and City of Berkeley Police Department ("Defendants"), together the "Parties," respectfully submit this Stipulation extending the deadline by 28 days for Plaintiffs to file the Reply in support of their Motion for Temporary Restraining Order. The Reply is currently due January 26, 2022. The Parties respectfully request an extension permitting Plaintiffs to file the Reply by February 23, 2022.

In support of this stipulated request, Plaintiffs state the following:

1. Plaintiffs filed the Complaint and Motion for Temporary Restraining Order on November 4, 2021. Defendants were served the Complaint, Motion for Temporary Restraining Order, and accompanying documents on November 30, 2021.

2. There has been one previous time modification in this case. On December 21, 2021, the original deadline for Defendants to file their Response to Plaintiffs' Motion for Temporary Restraining Order, Defendants filed a Stipulation on behalf of the Parties requesting an extension of that deadline to January 12, 2022. ECF. 39. That same day, the Court issued an order finding good cause to grant the stipulated extension. ECF. 42. Pursuant to that same order, Plaintiffs' deadline to file their Reply is currently January 26, 2022.

3. Plaintiffs contacted counsel for Defendants on January 21, 2022 by email and telephone and were advised by Deputy City Attorney Sara Stephens that Defendants have no objection to the stipulated extension.

4. The hearing on Plaintiffs' Motion for Temporary Restraining Order is currently scheduled for February 12, 2022. ECF 40. Accordingly, the Parties hereby request that the hearing date be postponed to permit Plaintiffs to file their Reply by February 23, 2022.

5. There is good cause for the extension. Plaintiffs are currently proceeding pro se, and they need additional time to gather the statements and other evidence needed to respond to the many facts the city asserted in their brief. Also, Plaintiffs are currently in the process of seeking counsel to represent them. In addition, Party stated some of the Plaintiffs are not in good health condition, and thus need this accommodation to properly Reply to the brief.

RESPECTFULLY SUBMITTED,

Dated: January 24, 2022

/s/ Lucien Jeffords
LUCIEN JEFFORDS

Dated: January 24, 2022

/s/ Deborah Maxilove
DEBORAH MAXILOVE

Dated: January 24, 2022

/s/ Richard Doran
RICHARD DORAN

Dated: January 24, 2022

/s/ Ronald Banyash
RONALD BANYASH

Dated: January 24, 2022

/s/ Pamela Benfante
PAMALA BENFANTE

Dated: January 24, 2022

/s/ Melissa Zajac
MELISSA ZAJAC

Dated: January 24, 2022

/s/ Rebecca Fisher
REBECCA FISHER

Dated: January 24, 2022

/s/ Clarence Galtney
CLARENCE GALTNEY

Dated: January 24, 2022

/s/ Merced Dominguez
MERCED DOMINGUEZ

Plaintiffs

Dated: January 24, 2022

CITY ATTORNEY'S OFFICE

/s/ Sara Stephens
SARA C. STEPHENS

Attorney for Defendants